

EXHIBIT “Z”

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF NEW YORK

3 SIDNEY MANES, administrator of the
4 estate of HECTOR RIVAS,

Plaintiff,

5
6 -vs-

Case No.:
5:19-cv-00844

7 ONONDAGA COUNTY; et al.,

8 Defendants.

9 DEPOSITION

10

11 WITNESS: ERIK MITCHELL

12 DATE: Thursday, October 19, 2023

13 START TIME: 10:30 a.m.

14 END TIME: 3:03 p.m.

15 LOCATION: Precision Reporters, LLC
16 110 West Fayette Street, Suite 750
Syracuse, New York 13202

17 BEFORE: Elyse M. Addabbo
18 Court Reporter and Notary Public

19 JOB NUMBER: 20262

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1 A. Yes.

2 Q. Okay. Did you understand that question
3 meaning slides of the brain?

4 A. No, the only slides we have, the Kodachrome
5 slides.

6 Q. Okay. And were the slides of the brain you
7 were talking about pages four and five of Exhibit 27?

8 A. That would be the only ones that I would have,
9 yes.

10 Q. Okay. And what did you see in -- and please,
11 look at them now. What did you see in those slides that
12 indicated decomposition?

13 A. That is consistent with it. I mean, those
14 slides are not in themselves the definition of
15 decomposition. But I described in my autopsy report
16 softening and autolytic change on gross exam, and what
17 you've got here is a brain that is slumping slightly down
18 in the brain cage and has slight flattening of the gyral
19 definition. But handed this independently with no
20 history, you're not going to derive -- it goes along with
21 what I observed but it's not pathognomonic of it.

22 Q. Okay. Now, did reviewing those slides in
23 preparation for trial change your opinion with regard to
24 the likelihood of the date of death or the range of the
25 date of death?